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Attorneys for Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric
Company
☒ Affects both Debtors

** All papers shall be filed in the Lead
Case, No. 19-30088 (DM).*

Case No. 19-30088 (DM)

Chapter 11

(Lead Case) (Jointly Administered)

**NOTICE OF APPEAL AND STATEMENT OF
ELECTION TO HAVE APPEAL HEARD BY
DISTRICT COURT**

1 NOTICE IS HEREBY GIVEN that PG&E Corporation (“**PG&E Corp.**”) and
2 Pacific Gas and Electric Company (the “**Utility**”), as debtors and debtors in possession
3 (collectively, “**PG&E**” or the “**Debtors**”) in the above-captioned chapter 11 cases (the “**Chapter**
4 **11 Cases**”), hereby appeal, pursuant to 28 U.S.C. § 158(a)(1), from the Order Granting the
5 Motion of the Official Committee of Tort Claimants for Relief from the Automatic Stay filed
6 August 21, 2019 [Docket No. 3644] and the Order Granting the Motion of the Ad Hoc Group of
7 Subrogation Claim Holders for Relief from the Automatic Stay filed August 21, 2019 [Docket
8 No. 3643] (together, the “**Orders**”), and the related Memorandum Decision Regarding Motions
9 for Relief from Stay filed August 16, 2019 [Docket No. 3571] (the “**Memorandum**”). Copies of
10 the foregoing are attached hereto as Exhibit A, Exhibit B, and Exhibit C, respectively.

11 Pursuant to 28 U.S.C. § 158(c)(1), the Debtors hereby elect to have the appeal heard
12 by the United States District Court for the Northern District of California (the “**District Court**”)
13 rather than by the Bankruptcy Appellate Panel for the Ninth Circuit.

14 The Debtors have filed this notice in an abundance of caution to preserve their rights.
15 The District Court, pursuant to 28 U.S.C. § 157(d) and the Order Adopting Recommendation for
16 Withdrawal of Reference of Proceeding in Part; Order of Assignment filed August 22, 2019
17 [Docket No. 3671], has withdrawn the reference from the Bankruptcy Court presiding over these
18 Chapter 11 Cases with respect to, among other things, the “method of conduct of the estimation
19 proceedings”. The estimation proceedings have been assigned to United States District Court Judge
20 James Donato. In light of that withdrawal, the considerations that caused the Bankruptcy Court to
21 lift the automatic stay have changed, and the Debtors intend to file a motion before the District
22 Judge Donato to reinstate the automatic stay based on the new circumstances. The Bankruptcy
23 Court’s decision to lift the stay was based on a finding that the result of a state court trial would
24 offer an “important data point” that would provide “guidance . . . in [the Bankruptcy] court’s
25 estimation proceedings”. (Dkt. No. 3571 at 3). However, since those proceedings will now occur
26 in the District Court before Judge Donato, the District Court is best situated to determine whether
27 lifting the stay will serve the estimation process. The Debtors accordingly do not believe an appeal
28 of the Bankruptcy Court’s order lifting the stay is necessary or the right vehicle to address this

1 issue, but are filing this Notice of Appeal until the parties have an opportunity to confer with the
2 District Court about the appropriate path forward in light of the recent withdrawal of the reference.

3 The names of all parties to the Order and Memorandum other than the Debtors, and
4 the names, addresses, and telephone numbers of their attorneys, are:

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For group parties denoted with “*”, please see Exhibit D hereto for a detailed list identifying members of the group.

Dated: September 4, 2019

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By: /s/ Paul H. Zumbro
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